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ABSTRACT

The career of James Franklin, Benjamin Franklin's older brother, provides a case study in the use of polemics for a free press. A printer who actively courted controversy, Franklin found it necessary to use an unusual variety of strategies and justifications to evade or overcome potential legal, religious, and economic restraints. He demonstrated how far a printer could go in criticizing authority and in offending important segments of the population: but, more significantly, his publications articulated a broad libertarian press theory at an early point in the development of American journalism. (RL)

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HISTORY DIVISION

JAMES FRANKLIN AND FREEDOM OF THE PRESS IN MASSACHUSETTS AND RHODE ISLAND, 1717-1735

By

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Americans were well-versed in the arts of controversy and confrontation by the time newspapers helped to mobilize the Stamp Act protests of 1765.[1] Continually arguing on topics from predestination to paper money and bedeviling British administration and each other's political factions, the colonists had gained considerable practice in being contentious and obstinate--traits that would eventually facilitate revolution and lead to the framing of a liberal, dynamic Constitution with specific provisions for the liberties of speech and press. How much freedom of expression was actually guarded both in theory and practice has been questioned,[2] but the ability to exchange ideas and influence public opinion through pamphlets, newspapers, and broadsides was taken for granted for most of the eighteenth century. With the exception of hysterical episodes during the Revolution and the time of the Alien and Sedition Acts,[3] assaults on press freedom were few and generally futile. One reason was undoubtedly the set of rationales employed by printers to justify the publication of combative, derogatory writings.[4]

A case study in the use of polemics for a free press is provided by the career of James Franklin. A printer who actively courted controversy, Franklin found it necessary to use an unusual variety of strategies and justifications to evade or overcome potential legal, religious, and economic restraints. He demonstrated how far a colonial printer could go in criticizing authority and offending important segments of the population, but, more significantly, his publications articulated a broad libertarian press theory at an early point in the development of American journalism.

The Inoculation Controversy

After an apprenticeship in London, 20-year-old James Franklin sailed home to Boston in 1717 with types and a second-hand press that dated back to the Interregnum.[5] The intellectual life of the city he returned to was cramped and chaste compared to London standards, but Boston, with a population of less than 12,000 had five printers besides Franklin and at least a dozen booksellers.[6] In addition, the city had the only newspaper in the colonies, the Boston News Letter established in 1704. Franklin found some job work and briefly printed the Boston Gazette when it started in 1719,

but by 1721 he was ready to begin publishing his own newspaper, the New England Courant, the third in Boston and the fourth in the colonies. "I remember his being dissuaded by some of his friends from the undertaking, as not likely to succeed," Franklin's brother Benjamin wrote in his memoirs 50 years later, "one newspaper being in their judgment enough for America."[7]

Yet James Franklin had acquired a sufficient knowledge of London wit and self-promotion (qualities which apparently rubbed off on his later famous younger brother) to think he could accomplish what no one else on his side of the Atlantic had even attempted--a journal of news, satire, and political commentary. The first issue appeared on August 7, 1721 with an introduction modelled after the initial essay in Addison and Steele's popular London periodical, The Spectator. The writer of the piece was John Checkley, a militant Anglican apothecary whose religious tracts were earning him the enmity of Boston's Puritan elite. A second essay was by the city's premier medical authority, Dr. William Douglass, and dealt with a smallpox epidemic Boston was experiencing.[8] Both Checkley and Douglass blasted local clergymen--Cotton and Increase Mather among them--who were advocating the novel practice of inoculation. "They set up for judges of a man's

qualifications in the practice of Physick," Douglass complained, "and very lavishly bestow all the fulsome commonplace of quack advertisements." The August 14 issue of the Courant asked readers to contribute "short pieces, serious; sarcastic, ludicrous, or otherwise amusing" and promised that the weekly paper would contain nothing "relecting on the clergy (-as such) of whatever denomination, nor relating to the affairs of government, and no trespass against decency or good manners." The pledge seems to have had little effect since the next item is a black humor piece on "A Project for Reducing the Eastern Indians by Inoculation."

For several months the paper lampooned the ministers and their medical ideas, prompting the Mathers and their followers to use Boston's other papers to label the Courant writers a "Hell-Fire Club"--the local counterpart of a sacrilegious group of London devil-worshipers.[9] Franklin, meanwhile, reaped the rewards of the publicity. His job printing picked up and even included a sheet mocking the Courant called The Little Compton Scourge: Or, The Anti-Courant which was produced by Cotton Mather's nephew, Thomas Walter. Moreover, as Boston counted up 841 deaths in the epidemic, James Franklin marked down new subscribers. In the Courant of February 5, 1722, he

commented that he had gained 40 subscriptions since the first of the year and that if his enemies kept up their attacks, he would have 40 more by the first of March. A year later the Courant could claim that it had a "far greater" circulation than its competitors and that it was "read by a vast number of borrowers."[10]

Franklin himself struck a comparatively moderate and conciliatory tone in the inoculation conflict, but he was adamant about what he conceived the role of the press to be. When Checkley responded to the single issue of the Anti-Courant by writing that its author was guilty of drunkenness and debauchery, Franklin printed the attack in the August 21, 1721 Courant, but then stopped accepting Checkley's contributions. The publisher explained to his readers that he would accept articles for and against inoculation, but that "malicious reflections" directed at individuals were not welcome. He said that he would not have inserted the assault on Walter if he had taken time to think about it, but that he had felt obligated to print Checkley's response after the writer had been singled out for ridicule in the Anti-Courant.[11] The incident, however, illustrated three basic components in Franklin's press ideology: the beliefs that a printer should remain impartial, that writers should avoid private as opposed to public matters, and that individuals had a fundamental right to self-defense.

Press theory, of course, made no impression on the Mathers. One of them--whether it was Cotton or Increase is not clear--stopped the young printer on the street on November 13 and told him that the new publication was "a wickedness that was never before known, in any country" and could provoke the wrath of heaven against Boston in general and Franklin in particular. Franklin reported the incident along with Mather's own account and took the opportunity to further describe his principles. He was writing in his own vindication, he said, because the "law of nature, not only allows, but obliges every man to defend himself against his enemies, how great and good soever they may appear." He said that he regretted the attack on Walter and that he invited writers "to speak their minds with freedom, sense and moderation" in his paper. Franklin insisted on his own impartiality in the inoculation debate and on the fact that his newspaper had presented both sides. To these defenses, the Courant's publisher added the radical idea that it was less dangerous to publish errors and have them exposed than to suppress them and have them "industriously propagated in private conversation." To a charge by Mather that the ministers were being libelled, Franklin answered that they had brought it on themselves by becoming involved in the controversy and that worse things were printed in England

about the clergy. To drive home his point he quoted two examples and said "far worse libels than these are frequently published in England."[12]

Franklin's response to the street incident also sounded a theme that he would develop later--that he was an innocent victim of unreasoning intolerance. Adopting an ad hominem approach, he told Mather he should save his curses for himself for attempting to malign the Courant writers. On January 22, 1722, the printer wrote in his newspaper that "a certain clergyman" and his "hot-headed trumpeters" were slandering the Courant in their conversation in order to "spoil the credit of the Courant" so that "he may reign Detractor General over the whole province, and do all the mischief his ill nature prompts him to, without hearing of it." As for rumors being disseminated that the government was planning to suppress the Courant, Franklin said that they had brought in new customers with "an itch after the novelty of the subject that should cause such a report" and he related what a trader said of his onions: "The more they are cursed, the more they grow." Franklin remarked that there was nothing in the paper that was against the law and reminded his readers of a Mather pamphlet, News From Robinson Cruso's Island, which had been censured by the House of Representatives for its comments on

a recent political controversy. For good measure, Franklin added several letters critical of Postmaster Philip Musgrave and his Boston Gazette which, although licensing had reached a state of limbo in Massachusetts by 1720,[13] was published "by authority." A week earlier, "a young scribbling collegian," as Franklin called him, had used the Gazette to denounce the Courant and to refer to its contributors as the Hell-Fire Club of Boston. Franklin said the Hell-Fire Club appellation was worse than anything he published and said that the charge was a "cruel reflection" on Increase Mather, who had been a subscriber, and a "gross reflection" on a government that would be "told of a Hell-Fire Club in Boston, (in a paper published by authority) and not use their endeavors to discover who they are, in order to punish them."

The statement that Increase Mather had been a subscriber touched off a final round of accusations and defenses. The fiery minister, who was then in his eighty-third year, took space in the January 29 Gazette to say that he had stopped his subscription earlier and that supporters of the Courant were "partakers in other men's sins." He said he was troubled by the degeneracy of New England and that he remembered when the government would have taken action against a publication like the Courant. "I cannot but pity poor Franklin, who, tho' but

a young man, it may be speedily he must appear before the judgment seat of God," Mather wrote, "and what answer will he give for printing things so vile and abominable?" Franklin shot back in his February 5 paper with a point-by-point rebuttal and argued that he was simply following a lawful business, that he was "but a publisher of what one declares and another asserts." Competing with the Mathers on their own ground, he said no man "doeth good and sinneth not" and that he expected and hoped "to appear before God with safety in the righteousness of Christ."

There matters were left for the most part. The epidemic had ended in January and by April the fads and foibles of Boston society became the prime topic of the Courant as Franklin's 16-year-old apprentice and brother, Benjamin, began anonymously submitting his "Silence Dogood" essays. A relative calm settled on the paper as correspondents tried to outdo each other in imitating the wit of The Spectator.

Conflicts With Government

Just as much of the Courant's style can be traced to The Spectator,[14] many of its political ideas can be linked to the radical whig tradition of England--especially as expressed

by John Trenchard and Thomas Gordon, the authors of Cato's Letters. Like other radical whigs, Trenchard and Gordon maintained an inherent distrust of church and government authority and placed a strong emphasis on the sovereignty of the people.[15] Applying their views to publishing, the two authors argued that personal reputation should be protected, but that the press needed to be free to criticize public administration.[16] James Franklin printed several of Trenchard and Gordon's essays in the early months of the Courant including one which argued that exposing "public wickedness" could "never be a libel."[17]

While the smallpox debate was being carried on, the Courant tended to reinforce the official city and colony position against inoculation[18] and so no particular conflict arose between the government and the paper. Franklin's job printing, however, may have caused some of the authorities to take notice. In 1721 he printed the first American edition of Henry Care's English Liberties, Or the Free-Born Subject's Inheritance, a 288-page legal handbook which the preface described as documenting "the many struggles which the people of this nation have had to rescue their almost oppressed liberties and religion." In 1722 Franklin published English Advice to the Freeholders, &c. of the Province of Massachusetts-

Bay, an anonymous six-page pamphlet which admonished voters in the 1722 spring election to consider the past performance and potential conflicts of interest of their representatives. The pamphlet advised against electing those who had a public post or place of profit with the government as well as "those three or four misguided gentlemen" who, in 1720, tried to promote a libel bill to use against printers.[19] The Courant joined the cause at election time by printing reports of attempts by unnamed though recognizable individuals to improperly influence or intimidate voters.[20]

With licensing of the press still a recent memory in Massachusetts, Franklin thus tested the political waters and found them safe--at least for election issues where prosecuting an editor may have been bad politics. Colony officials did not wait long, however, to find a pretext for taking action against the printer. On June 11, 1722, the Courant published a news item indicating Massachusetts would send a ship to capture coastal pirates "sometime this month, if wind and weather permit." Taking the article as a thinly veiled insult, the General Court the next day used legislative privilege--the device most frequently resorted to in attempts to control the colonial press[21]--to jail Franklin for his "affront" until the legislature adjourned in July. On July 5 the Council

voted to place Franklin under prior censorship for having been the publisher of material "boldly reflecting" on the government, churches, and college of the province as well as tending "to fill the readers' minds with vanity to the dishoner of God & disservice of good men." The House, however, apparently remembered a recent censorship battle of its own with the governor and defeated the measure.[22]

While Franklin was in jail, his brother Benjamin was in charge of the Courant. The apprentice, as he recalled in his autobiography, resented the legislature's action and pleased his master when he "made bold to give our rulers some rubs" in the paper. The younger brother also took the opportunity to take some verbal swipes at James who, as Franklin later said, was "passionate" and exasperated by the pride Benjamin displayed as the result of his successful Silence Dogood writings.[23] Benjamin told the Courant's readers that the paper did not try to please everyone. "There ever have been restless uneasy spirits in the world," Benjamin said in an apparent reference to James, "minds that seem peculiarly formed for contradiction, and can relish nothing but what is wrought in the elaboratory of their own brain."[24] On July 9 the Courant published a Trenchard and Gordon essay on press freedom which began:

> Without freedom of thought, there can be no such thing as wisdom; and no such thing as public liberty, without freedom of speech; which is the right of every man, as far as by it, he does not hurt or control the right of another: And this is the only check it ought to suffer, and the only bounds it ought to know.

James Franklin's month in jail did not leave him in a repentant frame of mind.[25] When he was released, he printed in the July 16 Courant verse supposedly sent in by some of his "most eminent friends, on the joyful news of his imprisonment":

> Your scandalous defamatory libel,
> Is praised and prized by some above the Bible,
> And more devoutly read. But we do aver,
> It does more hurt than famine, plague and war.
> And do you think a jail too bad for you,
> And all the rest of your seditious crew?

Franklin's rejoinder was:

> I...ask these my very good friends, whether they know of any order of men among us without their faults; if they do not, what can the meaning of this doggerel be, but that it is a greater crime in some men to discover a fault, than for others to commit it? I speak not with respect to the article of news which occasioned my confinement....

Of course he was speaking about that news item, but, as he explained, he was concerned that he could not speak as freely as it was possible to do in England since he did not know "the power of a general assembly in his majesty's plantations, nor whether an Englishman may have the liberty to answer for himself before the legislative power." The answer came two weeks later in the July 30 Courant with a correspondent providing material

on the due process of law which Franklin had not received and expressing "wonder on the stupidity of many of my countrymen, who know little or nothing of the happy constitution of an English government."

Franklin dared the authorities to act on January 14, 1723, by publishing scorching attacks on the Mathers (though not by name) and on the governor. The Mathers were pictured in an essay on religious hypocrisy as having "the blaze of a high profession, when perhaps they were blacker than a coal within." The writer said religion "is indeed the principal thing; but too much of it is worse than none at all." The January 14 issue also carried two letters: one generally decrying recent disputes between the governor and the House and another saying that the governor, who was on his way to England, would give a damaging report on colonial affairs and suggesting that "persons born among us" be sent to Britain as soon as possible to tell the other side of the story from the colonists' viewpoint. The General Court's response was, again, immediate. On January 14 a joint committee was formed to "consider and report" what should be done about the publication. The committee returned with a statement condemning the paper for its "tendency" to mock religion, abuse ministers, affront the government, and disturb the peace. The committee recommended that James Franklin be forbidden "to

print, or publish the New England Courant, or any pamphlet or paper of the like nature, except it be first supervised, by the secretary of this province." The Council and House agreed to the restrictions.[26] James Franklin did not. He continued to publish without authorization. In the January 21 Courant he again played for public sympathy by quoting the Isaac Watts version of Psalm LVI:

> O Thou whose justice reigns on high,
> And makes the oppressor cease,
> Behold how envious sinners try
> To vex and break my peace!
>
> The sons of violence and lies
> Join to devour me, Lord;
> But as my hourly dangers rise
> My refuge is thy Word.

On January 24 the Council ordered the arrest of Franklin for "high contempt" of the legislature. He posted bond and continued publishing while awaiting grand jury action.[27] A letter from "hearty friends and well-wishers" appeared in the January 28 issue and, after comparing his plight to that of the primitive Christians, gave him a facetious set of rules on how to avoid giving offense. "Princes, magistrates, and grandees, can by no means endure their conduct should be scanned by the meanest of their subjects," Franklin is satirically reminded, "and such may be justly offended when private men, as of private parts, presume to intermeddle with their arcana, and fault their administration." On February 4 a manuscript addressed to one of

those involved in the "late extraordinary procedure against F------n the printer" appeared in the Courant after being "found in the street" and sent in by a correspondent. It argued:

> It is manifest, that this man broke no law...where there is no law, there can be no transgression...it is highly unjust to punish a man by a law, to which the fact committed is antecedent. The law ever looks forward, but never backward; but if once we come to punish men, by virtue of laws ex post facto, farewell Magna Carta, and English liberties....

In the February 11 issue Franklin took the unnecessary precaution of changing the name of the publisher printed in the Courant to "Benjamin Franklin" to circumvent the order that James Franklin not publish without supervision. Benjamin described this afterthought as a "very flimsy scheme" in his autobiography, but it had one unintended effect. The master decided to cancel the apprentice's indentures as inappropriate to his new status and make him sign a new secret agreement. Benjamin, knowing that he could not be held to the private document, ran away later in the year to seek his fortune elsewhere, but the Courant used his name until the end of its days.[28]

Faced with his second legislative contempt charge, James Franklin printed a wide-ranging and intricate letter from "PHILO-DICAIOS" in the May 6, 1723 issue which was intended to "clear the late publisher of the Courant" and "to consider how

far their proceedings against him...may be consistent with justice and the fundamental laws of our nation." Using the Bible, the Magna Carta, and legal precedent and commentary, the writer observed that Franklin was denied various elements of due process and that the committee report cited vague tendencies rather than specific passages. Repeating arguments Franklin had already developed, the writer said the printer was being denied a chance to follow his trade and to have the same degree of freedom he would have in England. "It is a vulgar error which some have entertained, and which it concerns every true Englishman to obviate," the letter said, "that there must be no complaint made of the proceedings of the legislative power."

Whether or not the objections raised in the Courant had any effect is difficult to determine, but the next issue of the paper was able to report a victory for freedom of the press--that the grand jury refused to indict James Franklin even though he was clearly guilty of violating the legislature's restrictions.[29] Celebrating his success, Franklin announced a raise in subscription prices and printed a letter praising the much-hated Quakers.

The Courant, however, had other problems. It had never attracted many advertisers and by the summer of 1723 it also lacked a crusade or, for that matter, fresh humor. Franklin did make an effort to monitor press cases in the colonies and England[30] and to deal with issues related to the conduct of his paper,[31] but

the Courant gradually lost much of its initial spirit and bite. Facing depressed economic conditions in Boston[32] and stiff competition from other printers, Franklin decided to discontinue the Courant and set up shop in a city with 5,000 people, but no printer--Newport, Rhode Island.[33] Before he left, Franklin disposed of "Janus," the "author" of the Courant who was invented by the two brothers as a Boston version of Addison and Steele's Mr. Spectator. Like the Roman god Janus, he could "look two ways at once." Like Mr. Spectator, the impartial Janus was a man of "good temper, courteous deportment, sound judgment, a moral hater of nonsense, foppery, formality, and endless ceremony."[34] Franklin, then, took his leave in 1726 by writing and publishing a poem titled The Life and Death of Old Father Janus, The Vile Author of the Late Wicked Courant. Franklin described himself as a "public pest" who stood for truth, justice, liberty, and common sense, only to gain enemies for his trouble:

> Thus, vext with fleas, the fox to save his blood,
> Contrives deliv'rance from some neighboring flood:
> Softly he sails from shore, then gently dives,
> And on a wooly ark, the rav'nous vermin leaves.

Rhode Island

James Franklin found a certain measure of peace in what was known to contemporaries as "Rogue's Island," the place "where people think otherwise."[35] With its relatively high degree of autonomy, democracy, and liberty of conscience,[36] Rhode Island had been providing sanctuary to refugees from Massachusetts theocracy since the arrivals of Roger Williams and Anne Hutchinson in the 1630s. In 1727, a year after he arrived, Franklin extolled the religious freedom of his new home by publishing a 132-line poem, Mr. Samuel Gorton's Ghost: Or The Spirit of Persecution Represented in the Similitude of a Dream. Gorton, who had been banished from Massachusetts and had arrived in Rhode Island 90 years before,[37] was portrayed as appearing in a dream, describing religious intolerance, and saying, "But persecution, ne'er so smart...never yet could change the heart."

Franklin obviously identified with Gorton, who seemed to be a Christian anarchist with a respect for English common law,[38] but the printer had gone to Rhode Island at the suggestion of his brother John, a Newport tallow chandler, and of several prominent citizens.[39] Franklin was soon printing, in addition to his doggerel, the colony laws, religious tracts, and his own almanacs.[40]

Franklin's yearly almanacs were one of the more notable aspects of his career between 1727 and 1735. Like the Courant, they were distinguished by their liveliness and occasional vulgarity. Franklin took the pseudonym of "Poor Robin" which had been used in England by William Winstanley, a seventeenth-century almanac maker. Like the original Poor Robin, the Rhode Island printer combined the usual calendar information with coarse humor. Unlike Winstanley, however, Franklin did not have his publication suppressed. Both Poor Robins made light of the astrological pretensions of almanacs.[41] "There is not a more dishonest business in the world than almanac maker," Franklin wrote in his 1732 Rhode Island Almanac. "To be plain with my reader, I never could make an almanac (like a son of art) but when I was distracted." Yet Poor Robin dispensed serious advice and sentiment along with amusement as Benjamin Franklin's Poor Richard's Almanac did when it started in 1732. In 1734 Poor Robin wrote:

> The faults of my friends I scorn to expose,
> And detest private scandal tho' cast on my foes....
> No man's person I hate, tho' his conduct I blame.
> I can censure a vice without stabbing a name.
> To no party I'm slave; in no squabble I join,
> Nor damn the opinion that differs from mine.

The subject of personal defamation also came up in the short-lived Rhode Island Gazette that Franklin published for eight months beginning on September 27, 1732. That backbiting

was the particular vice of Rhode Islanders was publicly attested to by George Berkeley, the Anglican clergyman and philosopher who lived in Newport between 1728 and 1731.[42] The first issue of the Gazette is not extant, but a later reference to the introductory number suggests that Franklin made a point of warning potential contributors against "personal scandal."[43] Writing in the October 18 issue, "Tom Trueman" satirized "tattling" by listing its benefits which included the pleasure it gave its users and the help it was to "barren invention." A writer from Boston told the publisher in the October 25 issue that his "design"--which was apparently to establish a forum of wit along the lines of the Courant--would be easier to carry out in London. He added that Franklin should provide discussions of the "true principles of liberty" while rejecting both "personal scandal" and the "insipid affectation of fine writing and politeness, that has made some folks so ridiculous." The November 8 Gazette carried a Newport letter from "Cleverkin" who cautioned against damaging reputations either "house to house" which would lead to calumny and slander or "in a more public manner" which would lead to returning the injury. "The only way then to reclaim a brother from the evil of his way," the writer said, "is, to exhort and reprove him in the most private manner, and with the most ardent expressions of

tenderness and love." Accordingly, in the November 16 issue, "Will Rusty" lamented the "hard fate" of wit and sense:

> He that to wit hath no pretence,
> May lawfully make use of sense:
> Yet sense offends as much as wit,
> If any mark it chance to hit.

A notice in the Rhode Island Gazette of January 11, 1733, told readers that the continuation of the paper would depend on "punctual quarterly payments, or a greater number of subscribers." The payments and subscriptions apparently did not materialize since the Gazette was discontinued by the end of May. Another factor may have been that as Benjamin Franklin reported in his autobiography, James was "fast declining in health" at the time. The younger brother visited Newport, had a "cordial and affectionate" meeting with James, and agreed to bring up his son, James Franklin Jr., in the printing trade in the event of his death "which he apprehended not far distant."[44]

James Franklin Sr. died on his thirty-eighth birthday and twelfth wedding anniversary on February 4, 1735. His widow, Ann, carried on the printing business in their office "under the town school house." James Franklin Jr. completed an apprenticeship with his uncle and joined her in the business in 1748. Ten years later he founded the Newport Mercury, a newspaper which continued for more than 170 years.

Conclusion

"Self interest, which is at the bottom of most of the actions of life (altho' gilded over with other pretences)," James Franklin wrote of his effort to establish the Rhode Island Gazette, "prompted me to exceed my brother news-writers in every point."[45] Considering the sobriety of America's earliest newspapers, Franklin at least provided the most animated publications of his time. As he wrote in The Life and Death of Old Father Janus, he did not receive a college education, but "like a felon, stole a loftier flame" even if "stiff in the right, a thriftless fool remain'd" while "prudent flatt'rers veer'd with every prosperous wind." He did not achieve the wealth,[46] acclaim, or even polished writing style of Benjamin Franklin, but the older brother attempted to do what he felt was "right" in spite of the cost. His "voice for liberty was rear'd," he told himself in his Janus poem, but he admitted that with his "own rules...practice interfer'd." He expressed the intention of maintaining decency and avoiding personal defamation, but allowed language and libels that a paper like his brother's Pennsylvania Gazette generally avoided. Benjamin, ever the shrewd businessman, urged writers of questionable pieces to give him the material as job printing and distribute it themselves.[47] James, on the other hand, readily published ribald poetry and could say in a de facto

defense of libel that "too eager credit given to the defamer" is to blame and that "all reports are to be looked upon as false, till they are proved otherwise." He agreed with the Stoic philosopher Epictetus that if a reproach was not true, it was not about the person and if it was true, then the person should change and the criticism will stop.[48] Living as he was in the age of Swift, Defoe, and the third earl of Shaftesbury as well as Cato's Letters and The Spectator, James Franklin was not necessarily ahead of his time, but, as an American, he was ahead of his country. Not until later in the eighteenth century would other printers rival his degree of practicing and advocating a broad freedom of the press.

NOTES

1. For the role of the press in the Stamp Act crisis and its aftermath, see Arthur M. Schlesinger, Prelude to Independence, the Newspaper War on Britain, 1764-1776 (New York: Alfred A. Knopf, 1958).

2. See, generally, Leonard W. Levy, Legacy of Suppression, Freedom of Speech and Press in Early American History (Cambridge, Mass.: The Belknap Press of Harvard University Press, 1960).

3. See ibid., pp. 176-182; James M. Smith, Freedom's Fetters, The Alien and Sedition Laws and American Civil Liberties (Ithaca: Cornell University Press, 1956).

4. For a general exploration of this concept, see Lawrence H. Leder, Liberty and Authority, Early American Political Ideology, 1689-1763 (Chicago: Quadrangle Books, 1968), pp. 19-36.

5. John C. Oswald, Printing in the Americas, 2 vols., (New York: Gregg Publishing Co., 1937; reprint ed., Port Washington, N.Y.: Kennikat Press, Inc., 1965), 1:116; Isaiah Thomas, The History of Printing in America, 2nd ed., (Albany: Joel Munsell, 1874; reprint ed., New York: Weathervane Books, 1970), p. 105.

6. Carolyn Garrett Cline, "The Hell-Fire Club: A Study of the Men Who Founded the New England Courant and the Inoculation Dispute They Fathered" (M.A. Thesis, Indiana University, 1976), pp. 58, 74-81. For the cultural background of the Courant's approach, see Harold Lester Dean, "The New England Courant, 1721-1726: A Chapter in the History of American Culture" (Ph.D. Dissertation, Brown University, 1943).

7. Max Farrand, ed., Benjamin Franklin's Memoirs, Parallel Text Edition (Berkeley: University of California Press in cooperation with the Huntington Library, 1949), p. 44.

8. The identity of many early Courant contributors has been established by using what is believed to be Benjamin Franklin's annotated file of the paper which is now at the British Museum. See W.C. Ford, "Franklin's New England Courant," Proceedings of the Massachusetts Historical Society 57 (April 1924): 350-53.

9. Cline, "The Hell-Fire Club," pp. 101-111; New England Courant, February 12, 1722.

10. February 11, 1723. For a month-by-month death count, see the New England Courant, January 22, 1722.

11. New England Courant, August 21, September 4, December 4, 1721.

12. New England Courant, December 4, 1721.

13. Clyde A. Duniway, The Development of Freedom of the Press In Massachusetts (New York: Longmans, Green & Co., 1906; reprint ed., New York: Burt Franklin, 1969), pp. 78-89. For the Mather pamphlet episode, see Thomas Hutchinson, The History of the Colony and Province of Massachusetts-Bay, 3 vols., ed. Lawrence Shaw Mayo (Cambridge, Mass: Harvard University Press, 1936) 2: 185-86.

14. James A. Sappenfield, A Sweet Instruction, Franklin's Journalism as a Literary Apprenticeship (Carbondale: Southern Illinois University Press, 1973); Robert V. Hudson, "The English Roots of Benjamin Franklin's Journalism," Journalism History 3 (Autumn 1976): 76-79; Albert Furtwangler, "Franklin's Apprenticeship and The Spectator," New England Quarterly 52 (September 1979): 377-396.

15. Caroline Robbins, The Eighteenth Century Commonwealthman (Cambridge, Mass.: Harvard University Press, 1959), pp. 115-125. For the influence of "Cato" and radical whiggism in America, see, generally, Bernard Bailyn, The Origins of American Politics (New York: Alfred A. Knopf, 1968).

16. David L. Jacobson, ed., The English Libertarian Heritage, From the Writings of John Trenchard and Thomas Gordon (Indianapolis: The Bobbs-Merrill Company, 1965), pp. 38-44, 73-80, 230-242. The Spectator made essentially the same distinction. See April 9 and June 26, 1711.

17. September 11, 1721.

18. Robert Middlekauff, The Mathers: Three Generations of Puritan Intellectuals, 1596-1728 (New York: Oxford University Press, 1971), pp. 354-55; Kenneth Silverman, ed., Selected Letters of Cotton Mather (Baton Rouge: Louisiana State University Press, 1971), p. 338. See also, C. Edward Wilson, "The Boston Inoculation

Controversy: A Revisionist Interpretation," Journalism History 7 (Spring 1980): 16-19, 40.

19. For the government's efforts to control the press between 1716 and 1723, see Duniway, Freedom of the Press, pp. 83-103.

20. New England Courant, April 30, May 7 and 14, 1722. For a satirical suggestion that the Courant could expect legal reprisal, see New England Courant, May 28, 1722. For the Courant's place in Massachusetts "country" politics, see T.H. Breen, The Character of the Good Ruler, A Study of Puritan Political Ideas in New England, 1630-1730 (New Haven: Yale University Press, 1970), pp. 261-269.

21. Levy, Legacy of Suppression, pp. 20-21.

22. Documents related to Franklin's imprisonment are transcribed in Duniway, Freedom of the Press, pp. 163-64. For the House's conflict with Governor Shute, see ibid. pp. 86-89.

23. Farrand, ed., Memoirs, pp. 46-48.

24. New England Courant, July 2, 1722.

25. In an attempt to be released after a week in jail, Franklin had provided the General Court with an apology acknowledging the "inadvertency" and "folly" of the article and the "indiscretion" and "indecency" of his behavior when before the Court. Franklin, who also noted he had become ill during his confinement, was only granted the liberty of the prison yard. Duniway, Freedom of the Press, p. 99.

26. Ibid., p. 164.

27. Ibid., p. 164-5.

28. Farrand, ed., Memoirs, p. 50. For an account of Benjamin's youth and apprenticeship, see Arthur Bernon Tourtellot, Benjamin Franklin, The Shaping of Genius, The Boston Years (Garden City, N.Y.: Doubleday & Co., Inc., 1977).

29. New England Courant, May 13, 1723.

30. See, for example, New England Courant, April 20, June 8, June 15, July 20, December 7, December 21, 1724.

31. See, for example, New England Courant, May 27, September 2, 1723; March 16, October 26, 1724.

32. For a brief discussion of Boston's economic problems, see G.B. Warden, Boston, 1689-1776 (Boston: Little, Brown, 1970), p. 81.

33. For a description of Newport at this time, see Edwin S. Gaustad, George Berkeley in America (New Haven: Yale University Press, 1979), pp. 1-13.

34. New England Courant, February 11, 1723.

35. Sydney V. James, Colonial Rhode Island, A History (New York: Charles Scribner's Sons, 1975), p. xiii.

36. Carl Bridenbaugh, Fat Mutton and Liberty of Conscience: Society in Rhode Island, 1636-1690 (Providence: Brown University Press, 1974), pp. 3-8; Lawrence L. Lowther, "Rhode Island Colonial Government, 1732" (Ph.D. Dissertation, University of Washington, 1964), pp. 218-225.

37. Kenneth W. Porter, "Samuell Gorton, New England Firebrand," New England Quarterly 7 (September 1934): 405-444.

38. James, Colonial Rhode Island, pp. 28-29.

39. Lawrence C. Wroth, The Colonial Printer, 2nd. ed., (Portland, Maine: The Southworth-Anthoensen Press, 1938), p. 22.

40. John Eliot Alden, ed., Rhode Island Imprints, 1727-1800 (New York: R.R. Bowker Co. for the Bibliographical Society of America, 1949), pp. 1-13. For a survey of Franklin's printing career in Newport, see Clarence S. Brigham, "James Franklin and the Beginnings of Printing in Rhode Island," Proceedings of the Massachusetts Historical Society 65 (March 1936): 538-44.

41. For descriptions of Winstanley's career, see Keith Thomas, Religion and the Decline of Magic (New York: Charles Scribner's Sons, 1971), pp. 335-36; Bernard Capp, Astrology and the Popular Press, English Almanacs, 1500-1800 (London: Faber and Faber, 1979), pp. 39-40, 123-27, 385.

42. Gaustad, George Berkeley, p. 122.

43. Rhode Island Gazette, October 25, 1732.

44. Farrand, ed., Memoirs, p. 254.

45. Rhode Island Gazette, November 23, 1732.

46. For Franklin's will, see Cline, The Hell-Fire Club, pp. 144-45.

47. Farrand, ed., Memoirs, pp. 244-46.

48. New England Courant, November 9, 1724.